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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/470,377	12/22/1999	MASATO NISHIKAWA	TAIYO40.001A	6066

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EXAMINER

LANEAU, RONALD

ART UNIT	PAPER NUMBER
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2674

DATE MAILED: 09/19/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

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# Office Action Summary

Application No.

09/470,377

Applicant(s)

NISHIKAWA ET AL.

Examiner

Ronald Laneau

Art Unit

2674

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 22 December 1999.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,8-11 and 15-20 is/are rejected.
- 7) ☒ Claim(s) 3-7 and 12-14 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4,5,6.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

**DETAILED ACTION**

***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 9-15 recite the limitation "**The touch-operation input device**" in line 1 of each claim. There is insufficient antecedent basis for this limitation in the claim. Applicant discloses a "**touch-operating input device**" in claims 1-8 but not a "**touch-operation input device**."

Correction is required.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 2, 8-11, and 15-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Yoshimasa et al (EP 0 884 691 A2).

As per claim 1, Yoshimasa et al teach a touch operating input device 5 comprising a display device 2 for displaying operation function items and a touch panel 5 which is provided separately from the display device 2 and which is selecting the function items

Art Unit: 2674

by touch operation, wherein a touch-operation guide shape is formed on the touch – operation face of said touch panel (col. 6, lines 10-19, fig. 1).

As per claim 2, Yoshimasa et al teach a touch-operating input device wherein the touch-operation guide shape is at least one of a convex shape and a concave shape (fig. 3).

As per claims 8 and 9, Yoshimasa et al teach a touch-operating input device wherein a plurality of at least one of the convex shape and the concave shape are arranged in a predetermined direction on the touch-operation and wherein plural pairs of the at least one of the convex shape and the concave shape arranged in the predetermined direction are arranged in a direction intersecting the predetermined direction.

As per claims 10 and 11, Yoshimasa et al teach a touch-operation input device 5 wherein at least one of the convex shape and the concave shape is disposed at at least one position serving as a reference for determining a position on the touch-operation face and wherein the convex shape is a protruding shape and the concave shape is a recessed shape (fig. 3).

As per claim 15, Yoshimasa et al teach a touch-operation input device further comprising control means for controlling said display device to display an image representing the touch-operation guide shape, the image being overlapped with the operation function items (fig. 8, 33).

As per claim 16, Yoshimasa et al teach a display system comprising a display device for displaying the operation function items and the touch-operation input device (fig. 1, 2).

Art Unit: 2674

As per claim 17, Yoshimasa et al teach a display system wherein said display device displays an image representing the touch-operation face, the image being overlapped with the operation function items (col. 6, lines 10-19, fig. 1).

As per claim 18, Yoshimasa et al teach a display system wherein a relative position in the image and a relative position on the touch-operation face correspond with each other (fig. 1, 2, 3).

As per claim 19, Yoshimasa et al teach a touch-operation for a touch-operating input device 5 comprising a display device 2 for displaying operation function items and a touch panel 5 which is provided separately from said display device 2 and which is for selecting the function items by touch operation, wherein a touch-operation guide shape is provided on a touch-operation face of said touch panel (col. 6, lines 10-19, fig. 1).

As per claim 20, Yoshimasa et al teach a touch-operation assisting method wherein an image representing the touch-operation face is displayed on said display device 2, the image being overlapped with the operation function items (col. 6, lines 10-19, fig. 1).

***Allowable Subject Matter***

5. Claims 3-7 and 12-14 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

None of the references, either singularly or in combination, teaches or even suggests:

Art Unit: 2674

As per claims 3-6, a touch-operating input device wherein at least one of the convex shape and the concave shape is designed to continuously extend in a predetermined direction on the touch-operation face of said touch panel.

As per claim 7, a touch-operating input device wherein plural continuously extending shapes extend from one end side to another end side on the touch-operation face.

As per claims 12-14, a touch-operation input device wherein the touch-operation guide shape is designed by dividing the touch-operation face into plural sub-faces so that the respective sub-faces are shaped to be discontinuous at boundary positions between neighboring sub-faces.

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Kunimatsu et al (6,198,475), Kunimatsu (6,232,961), Yasuhara et al (6,191,777).

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ronald Laneau whose telephone number is 703-305-3973. The examiner can normally be reached on Monday-Thursday from 8:00 AM to 6:00 PM or via email: [ronald.laneau@uspto.gov](mailto:ronald.laneau@uspto.gov).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Hjerpe can be reached at 703-305-4709.

8. **Any response to this action should be mailed to:**

Art Unit: 2674

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:**

**(703) 872-9314 (for Technology Center 2600 only)**

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Ronald Laneau  
Examiner  
Art Unit 2674



RICHARD HJERPE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600

rl  
September 12, 2002